

UNITED STATES DISTRICT COURT
DISTRICT OF MINNESOTA

Dwayne Deleston,

Petitioner,

v.

Civil No. 13-2733 (JNE/SER)
ORDER

Warden Denese Wilson,

Respondent.

In a Report and Recommendation dated May 22, 2014, the Honorable Steven E. Rau, United States Magistrate Judge, recommended that Petitioner's Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 be denied, his Amended Petition for a Writ of Habeas Corpus pursuant to 28 U.S.C. § 2241 be denied, Respondent's motion to dismiss be granted, and the case be dismissed. Petitioner objected to the Report and Recommendation. The Court has conducted a de novo review of the record. *See* D. Minn. LR 72.2(b). Based on that review, the Court adopts the Magistrate Judge's Report and Recommendation [Docket No. 14].

Therefore, IT IS ORDERED THAT:

1. Petitioner's Petition [Docket No. 1] and Amended Petition [Docket No. 4] are DENIED.
2. Defendant's motion to dismiss [Docket No. 11] is GRANTED.
3. This action is DISMISSED.

LET JUDGMENT BE ENTERED ACCORDINGLY.

Dated: July 10, 2014

s/Joan N. Erickson
JOAN N. ERICKSEN
United States District Judge